

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

SEPTEMBER 9, 2003

PRESENT:

David Humke, Chairman
Jim Shaw, Vice Chairman
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner
Bonnie Weber, Commissioner

Amy Harvey, County Clerk
Michelle Poché, Assistant County Manager
Katy Singlaub, County Manager
Maureen Griswold, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

03-984 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the agenda for the September 9, 2003 meeting be approved.

PUBLIC COMMENTS

Sam Dehne, area citizen, commented that the Ballardini Ranch issue would be an agenda item at the Reno City Council meeting on September 10, 2003. He encouraged more citizens to attend and participate in the meetings.

Al Hesson, local resident, spoke out against President George W. Bush and his leadership of the nation.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Sferrazza requested the following items be placed on a future agenda: the high gas prices in Washoe County, development of a pedestrian/bicycle commission, the Regional Transportation Commission to produce a pedestrian/bicycle safety plan, and a decision regarding the County's option to co-locate with Truckee Meadows Water Authority in their new building.

Michelle Poché, Assistant County Manager, announced that Washoe County Community Relations staff won the Savvy Award for the “Guide to Services,” and the item will be brought before the Board at the September 16, 2003 meeting. She further congratulated Kathy Garcia, the Comptroller, as Ms. Garcia was selected as the outstanding CPA of the year for the government sector by the Nevada Society of CPA's.

Chairman Humke encouraged citizens County-wide to participate in National Patriot Day by taking a moment out of their day on September 11, 2003 to remember those who were lost on that day two years ago. He attended a meeting at the Airport Authority and he presented a status report from Southwest Airlines. He advised the Washoe County appointees to the Airport Authority would give a presentation to the Board on September 23, 2003. Chairman Humke presented a challenge from the Mayor of Sparks regarding donations to the United Way. He stated all rules were not established, but the government entity that has the highest percentage of employees donating would win the opportunity for their flag to be flown for five business days at each of the government sites.

03-985 PROCLAMATION – LIBRARY CARD SIGN-UP MONTH

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Proclamation, which Chairman Humke presented to Nancy Cummings, Library Director, and Bud Fujii, Library Board of Trustee member, be adopted and the Chairman be authorized to execute the same:

PROCLAMATION

WHEREAS, The Washoe County Library System, serving Nevada communities since 1904, will be celebrating “Library Card Sign-Up” Month, September 2003; and

WHEREAS, The Washoe County Library System provides citizens the opportunity to access resources that can give every person the chance to learn and gain knowledge; and

WHEREAS, The Washoe County Library System, in conjunction with the Washoe County School District, will remind all citizens that children should be given the most important school supply of all – one available free to every child – a library card; and

WHEREAS, The Washoe County Library System wishes to make known the vast resources available free to library card holders, including books, magazines, reference resources, videotapes, computers, Internet connections, etc., that can give every citizen the tools for learning; now therefore be it

PROCLAIMED by the Washoe County Board of Commissioners that September 1-30, 2003 is designated as “Library Card Sign-Up Month” and the Board urges all residents of the Truckee Meadows to take advantage of the resources available to them at the Washoe County Libraries by signing-up for a library card.

03-986 MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the minutes of the regular meeting of May 20, 2003 be approved.

**03-987 ACCEPTANCE OF DONATION – HENRY AND JUDITH
ALDERSON – ANIMAL SERVICES**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the donation from Henry and Judith Alderson, in the amount of \$44, to the Washoe County Animal Services be accepted with the Board’s gratitude. It was further ordered that staff be directed to deposit the donation into the Animal Services Fund (0501-5802).

**03-988 ACCEPTANCE OF DONATION – CHARLES AND ERNESTINE
JOHNSON – ANIMAL CONTROL**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the donation from Charles and Ernestine Johnson, in the amount of \$100, to the Washoe County Animal Control be accepted with the Board’s gratitude. It was further ordered that staff be directed to deposit the donation into the Animal Service Fund (0501-5802).

**03-989 ACCEPTANCE OF JUROR FEE DONATIONS – SOCIAL
SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the juror fee donations in the amount of \$1,599.20 be accepted with the Board's gratitude. It was further ordered that the Department of Social Services be authorized to expend funds from the Social Services Donations account (28051D), to benefit children who are in care at the Kids Kottage emergency shelters and families who are clients of Washoe County Department of Social Services, and the Comptroller be directed to make the following budget adjustments:

INCREASE REVENUES:		
Account 28051D-58051	Juror Donation	\$1,599.20
INCREASE EXPENDITURES:		
Account 28051D-7398	Miscellaneous	\$1,599.20

03-990 REPAIRS OF COLD SPRINGS AND LEMMON VALLEY SEWER TREATMENT PLANTS – WATER RESOURCES

Upon recommendation of Jerry McKnight, Finance and Operations Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Department of Water Resources be authorized to expend the remaining balance of the Extraordinary Maintenance Fund for Health and Sanitation, in the amount of \$30,509.13, on needed repairs to the Cold Springs and Lemmon Valley Sewer Treatment Plants via SPB Utility Services be approved.

03-991 WRITE-OFF OF ACCOUNTS RECEIVABLE – WATER RESOURCES

Upon recommendation of Jerry McKnight, Finance and Operations Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the writing off of certain accounts receivable, due to discharge by the Bankruptcy Court as bad debt, in the amount of \$2,140.33, be approved.

03-992 RESOLUTION - INCREASE CHANGE FUND – SIERRA SAGE GOLF COURSE RESTAURANT – TREASURER

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be approved and Chairman Humke be authorized to execute the same:

RESOLUTION

INCREASE THE CHANGE FUND FROM \$2,680.00 TO \$3,080.00 FOR THE WASHOE COUNTY PARKS & RECREATION DEPARTMENT

WHEREAS, The Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund Change Fund Accounts; and

WHEREAS, The Washoe County Parks & Recreation Department has requested an increase in their change fund from \$2,680.00 to \$3,080.00 for purposes of

operating the Sierra Sage Golf Course Restaurant pursuant to BCC approval on 2/18/03 of said operation (item #03-172);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$400.00 increase in the change fund (for a total of \$3,080.00) for the Washoe County Parks & Recreation Department.

2. That the above mentioned additional \$400.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.

3. That said change fund be used exclusively for transactions related to the operation of the Sierra Sage Golf Course Restaurant.

4. That the Director of the Washoe County Parks and Recreation Department shall henceforth be held accountable for the fund authorized by this resolution.

5. That the Director of the Washoe County Parks and Recreation Department shall be responsible for insuring compliance with Washoe County Cash Handling Ordinance and Procedures.

6. That the County Clerk is directed to distribute copies of this Resolution to the Washoe County Internal Auditor, Treasurer, Comptroller, Parks and Recreation Department, and the Nevada Department of Taxation.

03-993 RESOLUTION – INCREASE CHANGE FUND – SPARKS JUSTICE COURT – TREASURER

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be approved and Chairman Humke be authorized to execute the same:

RESOLUTION

INCREASE CHANGE FUND FROM \$550 TO \$600 FOR SPARKS JUSTICE COURT

WHEREAS, The Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund change and petty cash fund accounts; and

WHEREAS, the Sparks Justice Court has requested an increase in their change fund from \$550.00 to \$600.00 to assist in the administration of that office; now, therefore, be it

RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$50.00 increase in the change fund (for a total of \$600) for the Sparks Justice Court.

2. That the above mentioned additional \$50.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.

3. That said change fund be used exclusively for transactions related to the Sparks Justice Court.

4. That the Court Administrator shall henceforth be held accountable for the fund authorized by this resolution.

5. That the Court Administrator shall be responsible for insuring compliance with Washoe County Cash Handling Ordinance and Procedures.

6. That the County Clerk is directed to distribute copies of this Resolution to the Washoe County Internal Auditor, Washoe County Treasurer, Comptroller, Sparks Justice Court Administrator, and the Nevada Department of Taxation.

03-994 AWARD OF BID – LOG FLUME RIDE BOATS - BID NO. 2399-03 - PARKS

This was the time to consider award of bid for four log flume ride boats for the Parks and Recreation Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on June 13, 2003. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Hopkins Rides, Inc.
Interactive Rides, Inc.
Premier Rides, Inc.
S & S – Arrow, LLC

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that Bid No. 2399-03 for four log flume ride boats for the Parks & Recreation Department be awarded to Interactive Rides, Inc., in the amount of \$61,000.

**03-995 AWARD OF BID – INSTITUTIONAL BEDS – JAN EVANS
JUVENILE JUSTICE CENTER - BID NO. 2402-04 – PUBLIC
WORKS**

This was the time to consider award of bid for institutional beds for the Jan Evans Juvenile Justice Center for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on July 24, 2003. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Glasspec Corporation

ADT-American Company submitted a "no-bid" response.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that Bid No. 2402-04 for institutional beds for the Jan Evans Juvenile Justice Center for the Public Works Department be awarded to the low responsive bidder, Glasspec Corporation, in the amount of \$82,768. It was further ordered that the add alternate #A1 for installation of the institutional beds be rejected, as Glasspec no-bid the item and the cost for installation of the beds is included in the bid from the building contractor. It was noted that Glasspec Corporation would provide 112 molded fiberglass, self-supporting free-standing beds designed for permanent installation against two walls with an adhesive anchor system.

**03-996 AWARD OF BID – PORTABLE TOILET RENTALS - BID NO.
2403-04 - PURCHASING**

This was the time to consider award of bid for Portable Toilet Rentals for various Washoe County Departments. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on July 31, 2003. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Johnny on the Spot
Sani-Hut Company

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that Bid No. 2403-04 for Portable Toilet Rental for various Washoe County Departments be awarded to Johnny on the Spot, in the amount of \$33,810. It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a non-exclusive one year Agreement with Johnny on the Spot for Portable Toilet Rentals, commencing October 1, 2003 through September 30, 2004, renewable for three additional one year extensions, per mutual agreement, noting that the rates are not to increase for the duration of the original Agreement.

**03-997 ACCEPTANCE OF GRANT – OFFICE OF JUVENILE JUSTICE
AND DELINQUENCY PREVENTION – NEVADA STATE
JUVENILE JUSTICE COMMISSION – JUVENILE SERVICES**

Upon recommendation of Michael Martino, Program Manager, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Formula Grant from the Nevada Juvenile Justice Commission for 2003-2004 in the amount of \$69,447 be accepted. It was noted that the OJJDP Formula Grant would be utilized as follows:

AMOUNT	AGENCY/PROJECT
1. \$10,000	Children's Cabinet, Incline Village
	Project: Bilingual Counseling and
	Support Groups for at-risk teens.
2. \$10,000	Children's Cabinet, Reno
	Project: Youth and Family Mental
	Health Services.
3. \$49,447	Juvenile Services
	Project: Truancy Outreach
	One Full-time Outreach
	Specialist (position #111).
	Increase 32 hour per week
	position to 40 hours per week.

**03-998 ACCEPTANCE OF GRANT – STATE HISTORIC
PRESERVATION – GALENA CREEK FISH HATCHERY –
PARKS**

Upon recommendation of Rosemarie Entsminger, Parks and Recreation, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered

that the State Historic Preservation grant to provide a new roof structure and repair exterior walls on Galena Creek Regional Park's Fish Hatchery building, in the amount of \$100,000, be accepted. It was further ordered that the Comptroller be directed to make the following budget adjustments and the Parks and Recreation Director be authorized to execute any necessary project documents from Nevada State Historic Preservation Office to implement and complete the project.

INCREASE REVENUE	AMOUNT
Account 9052303G-4302	\$100,000
INCREASE EXPENDITURE	AMOUNT
Account 9052303G-7878	\$100,000

03-999 ACCEPTANCE OF BRYNE GRANT – GANG ENFORCEMENT – SHERIFF

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Bryne Grant Funding to be used to purchase one vehicle and to reimburse overtime funding for gang enforcement, in the amount of \$29,063 with a required County match of 25 percent, be accepted. It was further ordered that the Comptroller be directed to make the following budget adjustments:

INCREASE REVENUE	AMOUNT
Account 152475G-4301	\$29,063
INCREASE EXPENDITURE	AMOUNT
Account 152475G-7851 (Vehicle Purchases)	\$26,250
Account 152475G-7003 (Overtime)	\$ 2,813

03-1000 ACCEPTANCE OF BRYNE MEMORIAL FORMULA GRANT – AMERICAN THERAPEUTIC ASSOCIATION – SUBSTANCE ABUSE TREATMENT – SECOND JUDICIAL DISTRICT COURT

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Bryne Memorial Formula Grant, for which the Second Judicial District Court serves as the subgrantee or "pass through" agency for Federal funds to American Therapeutics Association for the Access to Substance Abuse Treatment (ASAT) Program, in the amount of \$52,678 with a County match of \$17,559, which will be provided by American Therapeutics Association, be accepted. It was noted that the term of the grant award would be from July 1, 2003 through June 30, 2004. It was further ordered that the Comptroller be directed to make the following account changes:

INCREASE REVENUES	AMOUNT
Account 120521G-4301	\$52,678
INCREASE APPROPRIATIONS	AMOUNT
Account 120521G-7103	\$52,678

03-1001 **ACCEPTANCE OF BYRNE MEMORIAL FORMULA GRANT –
PROJECT CARE – DIVERSION COURT DRUG TESTING –
SECOND JUDICIAL DISTRICT COURT**

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Byrne Memorial Formula Grant, for which the Second Judicial District Court serves as the subgrantee or "pass through" agency for Federal funds to Project Care for the Diversion Court Drug Testing Program, in the amount of \$50,000 with a County match of \$50,000, which will be provided by Project Care, be accepted. It was noted the term of the grant award would be from July 1, 2003 through June 30, 2004. It was further ordered that the Comptroller be directed to make the following account changes:

INCREASE REVENUES	ACCOUNT
Account 120513G-4301	\$50,000
INCREASE APPROPRIATIONS	ACCOUNT
Account 120513G-7103	\$50,000

03-1002 **ACCEPTANCE OF BYRNE MEMORIAL FORMULA GRANT –
BRISTLECONE FAMILY RESOURCES - REACH-IN PROGRAM
– SECOND JUDICIAL DISTRICT COURT**

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Byrne Memorial Formula Grant, for which the Second Judicial District Court serves as the subgrantee or "pass through" agency for Federal funds to Bristlecone Family Resources for the Reach-In Program, in the amount of \$45,828 with a County match of \$45,828, which will be provided by Bristlecone Family Resources, be accepted. It was noted the term of the grant award would be from July 1, 2003 through June 30, 2004. It was further ordered that the Comptroller be directed to make the following account changes:

INCREASE REVENUES	AMOUNT
Account 120514G-4301	\$45,828
INCREASE APPROPRIATIONS	AMOUNT
Account 120514G-7103	\$45,828

**03-1003 AGREEMENT – RICHARD AND YVONNE MCCOLLUM –
RESIDENT CARETAKER HIDDEN VALLEY REGIONAL PARK**

Upon recommendation of Gregg Finkler, Parks Operations Superintendent, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a Resident Caretaker Rental Agreement between Washoe County and Richard D. and Yvonne E. McCollum concerning resident caretakers for Hidden Valley Regional Park be approved and Chairman Humke be authorized to execute the same.

**03-1004 INTERLOCAL AGREEMENT – STOREY COUNTY – SENIOR
NUTRITION PROGRAM – SENIOR SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that an Interlocal Agreement between the Washoe County and Storey County, concerning the provision of a senior nutrition program through the Department of Senior Services for July 1, 2003 through June 30, 2004, be approved and Chairman Humke be authorized to execute the same. It was noted that there would be no fiscal impact as Storey County would be purchasing the meals.

**03-1005 GRANT PROGRAM CONTRACT - RESOLUTION – KEEP
TRUCKEE MEADOWS BEAUTIFUL – GRANTS
ADMINISTRATOR**

Upon recommendation of Gabrielle Enfield, Grants Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a Grant Program Contract between the Washoe County and Keep Truckee Meadows Beautiful (KTMB), concerning the provision of a variety of services to keep the community clean, such as: Adopt-A-Spot, Christmas Tree Recycling, Adopt-A-Park, Telephone Book Recycling, Community Cleanups, Graffiti Education, in the amount of \$8,925 for fiscal year 2003-2004, be approved and Chairman Humke be authorized to execute the Contract. It was further ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same:

RESOLUTION

**AUTHORIZING THE GRANT OF PUBLIC MONEY TO A NONPROFIT
ORGANIZATION CREATED FOR RELIGIOUS, CHARITABLE OR
EDUCATIONAL PURPOSES**

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a nonprofit organization created for religious, charitable or educational purposes to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that \$8,925 in funding is needed to assist in providing services to encourage a clean community; now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to Keep Truckee Meadows Beautiful, a non-profit organization created for religious, charitable or educational purposes, a grant for fiscal year 2003 – 2004 in the amount of \$8,925 (Community Support).
2. The purpose of the grant is to provide assistance to KTMB with Adopt-A-Spot, Adopt-A-Park, and Christmas Tree Recycling in the incorporated and unincorporated areas of Washoe County, which will provide a substantial benefit to the inhabitants of the county.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are as set forth in the Grant Program Contract, which Contract, placed on file with the Clerk, is incorporated herein by reference.

03-1006 COMMUNITY SUPPORT CONTRACTS – RESOLUTIONS – GRANTS ADMINISTRATOR

Upon recommendation of Gabrielle Enfield, Grants Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Community Support Contracts between the Washoe County and the following agencies for fiscal year 2003-2004 be approved:

AGENCY	AMOUNT
Food Bank of Northern Nevada	\$ 47,381
Catholic Community Services: Food Pantry	\$ 50,985
Washoe County School District: Family Resource Centers	\$ 26,835
Nevada Hispanic Services (Hispanic Youth Image)	\$ 18,631
Nevada Hispanic Services (Advocacy)	\$ 22,616

It was noted that the Washoe County Community Support Program provides funds through a contract for Project Walkabout, in the amount of \$8,178, that is administered by the City of Sparks.

It was further ordered that the following Resolutions be adopted and Chairman Humke be authorized to execute the same:

RESOLUTION

**AUTHORIZING THE GRANT OF PUBLIC MONEY TO A PRIVATE
NONPROFIT ORGANIZATION**

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2003-2004 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations; now therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to the Food Bank of Northern Nevada, Inc., a private, nonprofit organization, a grant for fiscal year 2003-2004 in the amount of \$47,381 (Community Support).
2. The purpose of the grant is to provide food support services for Washoe County nonprofit agencies and the clients they serve.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are set forth in the Grant Program Contract.

RESOLUTION

**AUTHORIZING THE GRANT OF PUBLIC MONEY TO A PRIVATE
NONPROFIT ORGANIZATION**

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2003-2004 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations; now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to Catholic Community Services of Northern Nevada, a private, nonprofit organization, a grant for fiscal year 2003-2004 in the amount of \$50,985 (Community Support).
2. The purpose of the grant, the maximum amount to be expended from the grant and the conditions and limitations upon the grant are set forth in the Grant Program Contract, which Contract, placed on file with the Clerk, is incorporated herein by reference.

RESOLUTION

AUTHORIZING THE GRANT OF PUBLIC MONEY TO A GOVERNMENTAL ENTITY

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, or to a governmental entity, to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2003-2004 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations, and governmental entities; now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to the Washoe County School District, a political subdivision of the State of Nevada, a grant for fiscal year 2003-2004 in the amount of \$26,835 (Community Support).
2. The purpose of the grant, the maximum amount to be expended from the grant and the conditions and limitations upon the grant are set forth in the Grant Program Contract, which Contract, placed on file with the Clerk, is incorporated herein by reference.

RESOLUTION

**AUTHORIZING THE GRANT OF PUBLIC MONEY TO A PRIVATE
NONPROFIT ORGANIZATION**

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2003-2004 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations, now, therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to the Nevada Hispanic Services a private, nonprofit organization, a grant for fiscal year 2003-2004 in the amount of \$18,631 (Community Support).
2. The purpose of the grant is to provide youth alternative and prevention programs against street violence, and negative youth behavior, and by developing leadership skills.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are set forth in the Grant Program Contract.

RESOLUTION

**AUTHORIZING THE GRANT OF PUBLIC MONEY TO A PRIVATE
NONPROFIT ORGANIZATION**

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, to be expended for a selected purpose; and

WHEREAS, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2003-2004 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations; now therefore, be it

RESOLVED, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to Nevada Hispanic Services a private, nonprofit organization, a grant for fiscal year 2003-2004 in the amount of \$22,616 (Community Support).
2. The purpose of the grant is to provide immigration, naturalization and advocacy services.
3. The maximum amount to be expended from the grant and the conditions and limitations upon the grant are set forth in the Grant Program Contract.

03-1007

RESOLUTIONS – 11 AREA PLANS – COMPREHENSIVE PLAN AMENDMENT NOS. CP02-013 (EVANS), CP00SV-001 (REPTILE RIDGE), CP02-015 (CADJEW-COYNE) – CP02-017 (OPEN SPACE) - COMMUNITY DEVELOPMENT

Michael Harper, Planning Manager, Community Development Department, advised this item represents the final approval of a series of land use amendments to the Comprehensive Plan. He stated the County Commissioners approved these Comprehensive Plan Amendments some months ago, but State law requires a finding of conformance by the Regional Planning Commission. The Resolutions being presented indicate that the Regional Planning Commission made a finding of conformance. The Comprehensive Plan Amendments have gone through a series of Citizen Advisory Board (CAB) reviews and the public hearing process before the Board of County Commissioners and the Regional Planning Commission. He advised, upon adoption of the Resolutions, the appropriate changes to the maps could be executed.

Commissioner Weber advised the North Valleys CAB expressed concern at their meeting last night that they did not have full input on this subject and requested the Board consider taking their portion out to come back before the CAB. She noted that all of the CAB's should have the opportunity for input.

Mr. Harper said he spoke with some CAB members, and, after he presented the explanation he just gave to the Board, they understood what had occurred. He believes the misunderstanding occurred because of the time between when the applications went through the CAB review process and when they finally came before the Board for a final action. He stated staff would be glad to forward something to the CAB's explaining this is a housekeeping process. He advised these are simple amendments, the major one being to change Federal lands to open space.

Jeannie Fow, North Valleys Citizen Advisory Board, advised they discovered this item was coming before the County Commissioners at their meeting last night. She said their major concern is they are being told they endorsed changes to their area plan, and they are not aware of what those changes were.

Sam Dehne, Reno citizen, said this represents a huge amount of land and believes more time should be given to review this matter and make sure it is what the citizens of the area want.

Commissioner Weber said she would still like to pull the North Valleys, Sun Valley and Verdi area plans from the vote today to allow those CAB's to have some input. Commissioner Sferrazza stated he was not opposed to the amendments, but since Commissioner Weber has concerns that the CAB's in her District provide some input, he would support her request.

Gary Schmidt, County resident, said he attended the Planning Commission meeting and the County Commission meeting where this was approved. He believes the confusion is with CP02-017, which is for the open space on public lands, and explained that amendment essentially goes into the 11 area plans and changes a great deal of General Rural zoning to Open Space zoning. He said there was extensive testimony at the Planning Commission and County Commission hearings, and a lot of time has been spent on this issue. He advised there was virtually no opposition in the effort to help assure that Federal public lands remain public and would be opposed to any further delay in this long process.

Bill Whitney, Community Development, advised the only changes to the North Valleys Area Plan result from the open space Comprehensive Plan Amendment that changes public lands from General Rural to the Open Space land use designation.

Chairman Humke stated he believes the amendments for the private parties are reasonable and would not want them delayed.

Mr. Harper suggested the private party comprehensive plan amendments be continued for two weeks in order for staff to rewrite the resolutions and present them to the Board. He said the open space amendment could be continued for a longer period in order for staff to meet with the CAB's to explain the process.

Following further discussion, on motion by Commissioner Weber, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Humke ordered that CP02-013 (Evans), CP00SV-001 (Reptile Ridge), and CP02-015 (Cadjew-Coyne) be continued for two weeks in order to bring back the appropriate resolutions. It was further ordered that CP02-017 (Open Space) be continued indefinitely in order for staff to meet with the CAB's and explain the approval process.

**03-1008 INTERLOCAL COOPERATIVE AGREEMENT – REGIONAL
TRANSPORTATION COMMISSION'S STREET AND HIGHWAY
PREVENTIVE MAINTENANCE PROGRAM**

Howard Riedl, Regional Transportation Commission (RTC), advised the Interlocal Cooperative Agreement would allow the RTC to utilize the recently passed

WC-2 initiative sales tax revenues to proceed with the slurry sealing of roadways for preventive road maintenance throughout the area. He stated a Blue Ribbon Committee met to determine how to raise revenues and achieve the goals of the preventive maintenance plan. One of those goals was to reduce the backlog of reconstruction needs and preserve the good roads in order to target other funds to catch up on the reconstruction backlog. He advised a solicitation for bids was advertised and very favorable prices were received.

Commissioner Sferrazza expressed displeasure that his District is not receiving an equitable apportionment of the funds being expended. He stated Washoe County tends to ask for roads in the unincorporated area, and about one-half of his District is in the City of Reno. Mr. Riedl stated this is the first year of RTC's preventive maintenance program and reviewed possible reasons why more roads in Commissioner Sferrazza's District might not have been targeted this year. He said, since the bids have been so favorable, they would be going to all the jurisdictions and looking carefully to see if more roads could be added. Commissioner Sferrazza stated he thinks a problem with the system is the Public Works Directors are advocates for the roads they believe need to be repaired, and the Washoe County Public Works Director would normally advocate for unincorporated area roads.

Rod Savini, Deputy Public Works Director, said staff identifies the candidate streets and reviews them through the criteria set forth in the pavement maintenance management system. Commissioner Galloway asked if a neutral party could review the criteria and determine the streets that should be rehabilitated. Mr. Savini advised input was provided from all of the jurisdictional representatives, and a subcommittee of the RTC Technical Advisory Committee addressed these issues.

Commissioner Weber stated she believes the taxpayers would benefit most from a pavement management firm grading every road in the County, which process has been done in Las Vegas. Mr. Riedl advised that the three local jurisdictions have the same pavement management system, and Lorick Consulting Engineers is currently conducting an efficiency study, which will include the information referred to by Commissioner Weber. He commented that Lorick Consulting would be giving a presentation to the Board in a couple of months. County Manager Singlaub noted that a consulting firm developed the pavement maintenance management system utilized by the three jurisdictions as a best practice.

Commissioner Sferrazza stated his perspective is the program should address the whole County, which includes streets within the City of Reno. Mr. Savini stated Reno streets are inspected and maintained by Reno, and they manage the same system for identifying streets within the City.

Commissioner Shaw stated this is a starting point. He said Commissioners Weber and Sferrazza have raised some good points; and, when the report comes in from Lorick and Associates, he believes many of the issues will be cleared up.

Commissioner Galloway said his understanding is that the money does not get spent unless all three entities agree, and the other two entities have agreed to this list of streets. He believes it is an imperfect compromise and that Washoe County is coming out a bit short, but thinks the process needs to move forward. He stated he does not believe the voters intended that any entity reduce its other road maintenance spending because of this new funding. If that were to happen, he believes it would be a violation of the public trust.

Sam Dehne, Reno resident, commented that a notification of the roads identified for rehabilitation in the next phase would be helpful in order to determine that an entity would receive its fair share. He stated community roads are a disaster and expressed his opposition to the City of Reno allowing large tractor-trailers to destroy local roads.

Upon recommendation of Mr. Savini through Tom Gadd, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Interlocal Cooperative Agreement between Washoe County, the City of Reno, the City of Sparks and the Regional Transportation Commission, concerning construction engineering and construction of the Regional Transportation Commission's Street and Highway Preventive Maintenance Program, be approved and Chairman Humke be authorized to execute the same.

Commissioner Sferrazza stated he reluctantly supported the motion with the understanding that, if his District is treated the same during the next funding cycle, he will vote against it. Commissioner Galloway stated, if it is found that the normal monies for roads is cut off or diverted, or something is out of balance when this comes forth again, he will not necessarily vote for it. He would like to be provided with a criteria status in the future. Commissioner Weber stated she reluctantly voted in favor of the motion and would like to receive information concerning the input provided for the roads identified for rehabilitation. County Manager Singlaub advised staff would try to provide information in advance in the future concerning what roads they intend to nominate in order for the Board to provide input in that process.

**03-1009 RESOLUTION - REFUND OF TAXES – COPELAND SENIORS,
L.P. – APN NO. 007-233-41**

County Manager Singlaub noted that discussion was held on this item at yesterday's Caucus meeting. She advised the District Attorney's office has found this tax refund request meets the statutory test for a tax exemption. She noted the Board members have expressed concerns relative to the tax exemption statute.

Commissioner Sferrazza said he would reluctantly support the tax refund because the Board is legally required to do so. He noted, based on market rent information he has been given, the rent benefit provided by these apartments is less than the tax exemption being given by Washoe County.

Commissioner Galloway noted staff has been requested to provide information to the Board concerning the tax exemption statute so the Board can consider a possible legislative change. He commented there is some question whether it is reasonable to assist these types of projects when they provide little benefit to the renter.

Upon recommendation of Blaine Cartlidge, Deputy District Attorney, as stated in D.A. Opinion No. 6417, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same on behalf of Washoe County. It was further ordered that staff be directed to provide information concerning the feasibility of changing legislation to address this issue.

RESOLUTION

Directing the County Treasurer to Refund Taxes

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.220-354.240, has the authority to direct the County Treasurer to refund money paid into the County Treasury; and

WHEREAS, Copeland Seniors, L.P. ("Taxpayer") made application for a partial refund of real property taxes for the 2002-2003 tax year on APN 007-233-41; and

WHEREAS, the Taxpayer has overpaid taxes for the 2002-2003 fiscal year in the amount of \$78,370.53; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the Taxpayer has just cause for making such application and that the granting of the partial refund would be equitable.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County is authorized and directed to refund to Copeland Seniors, L. P. a total of \$78,370.53, which is the amount of the prorated taxes overpaid for the 2002-2003 tax year on APN 007-233-41.

2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity that has shared in the excess of the taxes collected in error for its prorata share of the refund.

03-1010 RESOLUTION - REFUND OF TAXES – LIGON-PICKERING LIMITED PARTNERSHIP - APN NO. 008-171-27

David Ligon, Ligon-Pickering Limited Partnership, provided background information concerning the request for a refund of real property taxes on their building

that is occupied by a charter school. He advised the District Attorney has recommended a reimbursement of the overpaid taxes but not the penalty, and they are requesting the penalties also be reimbursed.

Upon inquiry of Commissioner Galloway, Sue Goodlett, Assessor's Office, stated the Washoe County School District has advised that the charter school is in good standing with the School District. She then advised that no exemption was granted for the 2002-2003 tax roll year because the applicant did not meet the June 15 filing deadline.

Blaine Cartlidge, Deputy District Attorney, provided information concerning the exemption for charter schools and the lease on the subject building. Commissioner Sferrazza stated that only a portion of the lease document has been provided, and he would like to review the complete document to determine whether the entire parcel is being leased to the charter school.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that this item be continued. It was further ordered that the Board be provided with the lease document and all other documentation relied on relative to this application, which would include a copy of the statute and a list of all structures on the property.

03-1011 REQUEST FOR PROPOSAL – RFP NO. 2385-03 – DETENTION FACILITY MEDICAL SERVICE – PURCHASING/SHERIFF

This was the time to consider Request for Proposal (RFP) No. 2385-03 for Detention Facility Medical Services on behalf of the Washoe County Sheriff's Office. The Notice to Proposers was published in the *Reno Gazette-Journal* on June 4, 2003. Proof was made due and legal Notice had been given.

Proposals were received from the following vendors:

Correctional Medical Services, Inc.
Prison Health Services, Inc.

County Manager Singlaub advised there was considerable discussion about this item at yesterday's Caucus meeting. She said staff provided an analysis of the cost to provide this service in-house and believes this represents the best and most appropriate procedure.

Don Means, Assistant Sheriff, provided information in response to questions of the Board, and advised the contract contains a funding-out clause. Commissioner Sferrazza stated he would like to see detailed information concerning this health care provider relative to the number of doctors and nurses, what they are paid and the caseload.

Commissioner Galloway stated, although he has reservations anytime something goes over budget, he does support approval on this item. He said there is a funding-out clause and, if this becomes a financial problem in the future, the matter could be addressed.

Commissioner Sferrazza said he would not vote on this issue because representations have been made that the service cannot be done in-house, and he would like to see the cost analysis that made that determination, the contract, and a breakdown of the services being provided. He stated this recommendation represents a lot of money, and he is not prepared to vote on it today.

Commissioner Shaw stated issues relating to Prison Health Services have been reviewed in the past, and he believes they have done a good job. Chairman Humke stated this type of medical care is some of the most expensive service a public entity provides.

Gail Singletary, House Services Administrator, Prison Health Services, provided information concerning the caseload and types of medical services they provide. She advised that an incarcerated person loses their benefits from Medicare, Medicaid, private insurance, and Veteran's insurance. She stated there has been a significant increase in the number of patients and in mental health and extreme medical care issues. She noted there is a serious nursing shortage, and the provision of prison health services requires clinically experienced and mature seasoned people that can deal with this highly specialized and high-risk environment.

Commissioner Galloway said he was disturbed to discover that insurance is being denied to people because they are in jail. He noted that a person may not be convicted, and people waiting for trial should not be denied anything. Commissioner Sferrazza stated he could not make an informed decision without the hard numbers.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Chairman Humke, which motion duly carried with Commissioner Sferrazza "abstaining," it was ordered that Request For Proposal No. 2385-03 for Detention Facility Medical Services on behalf of the Sheriff's Office be awarded to Prison Health Services, Inc. The proposed agreement shall cover a three-year period, with the County having an additional option of two two-year extensions based upon prior performance, negotiations of service delivery and costs for subsequent extensions. The estimated value of the agreement for the first three years is \$12,559,260.

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement for Detention Facility Medical Services with Prison Health Services, Inc. on behalf of the Washoe County Sheriff's Office, and the Comptroller be authorized to make the following adjustment to cover the unbudgeted portion of the contract:

Decrease	Amount	Increase	Amount
Contingency 1890-7328	\$690,020	Detention Medicare Care 15090-7466	\$723,307
Sheriff-Toxicology 150651-7140	\$ 33,287		

It was noted that, although Prison Health Services, Inc. was not the lowest proposal, based on the evaluation criteria, the evaluation committee felt they best met the requirements for the Detention Medical Services.

03-1012 AWARD OF CONSTRUCTION BID – KEYSTONE CANYON TRAILHEAD – PWP-WA-2003-286 – PUBLIC WORKS

This was the time to consider an award of a bid for the Keystone Canyon Trailhead on behalf of the Public Works Department. A Notice to Contractors for receipt of sealed bids was published in the *Reno Gazette-Journal* on August 20, 2003. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

CONTRACTOR	BASE BID
Gradex Construction	\$143,984.00
Sierra Nevada Construction	\$186,980.07
MKD Construction, Inc.	\$223,000.00
John Longo Const. Co., Inc.	\$159,000.00

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Bid No. PWP-WA-2003-286 for the Keystone Canyon Trailhead project for the Public Works Department be awarded to the low, responsive, responsible bidder, Gradex Construction, Inc., in the amount of \$143,984.00. It was further ordered that Chairman Humke be authorized to execute the contract documents upon presentation.

03-1013 CONTRACT CHANGE ORDER – REGIONAL DISPATCH AND EMERGENCY OPERATIONS CENTER – UNITED CONSTRUCTION COMPANY – PUBLIC WORKS

Sam Dehne, Reno citizen, said he was not speaking for or against this item but is bothered by the concept that contractors ask for more money after the original contract has been signed.

Upon inquiry of Commissioner Sferrazza, Roger Van Alyne, Capital Projects Division Director, stated the project is still within the approved budget.

Upon recommendation of Mr. Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner

Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the change order to the contract with United Construction Company for construction of the Regional Dispatch and Emergency Operations Center be approved and the Contract Administrator be authorized to execute the necessary documents and make appropriate adjustments to the contract value and schedule. It was noted this close-out change order will increase the contract amount by \$148,126.79, and that the change order is for the trailhead parking lot, the cost of which was impacted by the addition of a rockery wall required by the property owners who are providing an easement for the trailhead.

**03-1014 DIRECTION – DESIGN-BUILD TEAM - NORTH SPANISH
SPRINGS FLOOD CONTROL FACILITY – WATER RESOURCES**

Katy Singlaub, County Manager, commented that staff is not recommending either a design-build team or a design-bid-build approach. She advised this is the first major project the County has had that follows the legislative authority allowing local governments to exercise the opportunity to do a design-build approach.

Commissioner Galloway commented that the County Commission opposed the design-build law enacted in the 1999 Legislature because there was no proof it saved money and time. He referred to statutory information provided to the Board and argued his position that the design-bid-build process is more appropriate. He said testimony at the Legislature was that design-build worked well for standardized cookie-cutter projects, such as highway road sections and oil refineries. His belief is that, unless staff indicates a project cannot meet schedule any other way, the Board should give direction to use the traditional design-bid-build process and not utilize the design-build approach. Commissioner Galloway noted there is no way to make a comparison to show that design-build saves time.

Jeanne Ruefer, Water Resources, provided information concerning the project. She said staff conducted a comparison using a standard design-bid-build versus a design-build approach, and approximately two months would be the average time savings utilizing the design-build method. She stated staff would like to get something in the ground with regard to flood control as quickly as possible, but a two-month savings is not critical. Commissioner Galloway expressed concern about large cost overruns that might occur and possible delays to the project. Ms. Ruefer stated that staff believes they have a good estimate for the flood control project.

Commissioner Sferrazza stated he would like staff to review other alternatives, such as partial design and bidding part of the project.

Commissioner Galloway moved, seconded by Commissioner Sferrazza, that staff be directed to utilize the conventional design-bid-build method in situations where the project schedule can be met, and that staff look at alternative approaches, such as a phased approach in design-bid-build.

Commissioner Shaw stated he supports the design-build approach. He does not consider this a major project compared to some of the other projects in the community and believes this approach would save time and money. Commissioner Weber said she does not consider this a major project and believes the project should move forward with the design-build approach.

Chairman Humke said his understanding of the intent of the legislation was to be experimental as long as the public entity could certify they made an estimate of the risks and measured the efficiency gains by using the law. He stated he believes those risks and efficiencies have been estimated, and the design-build approach should be utilized. He noted the legislation is also limited to one design-build project each year or cycle.

On call for the motion, Commissioners Shaw, Weber, and Humke voted “no,” and the motion to utilize the design-bid-build method failed.

On motion by Commissioner Shaw, seconded by Commissioner Weber, which motion duly carried with Commissioners Galloway and Sferrazza voting “no,” Chairman Humke ordered that staff be directed to utilize a design-build team for the design and construction of the North Spanish Springs Flood Control Facility.

Chairman Sferrazza stated he is not necessarily opposed to design-build but would like to be provided with more information ahead of time concerning the various issues involved. Commissioner Galloway stated, if the Board is going to utilize the design-build approach, he believes it should be on the less risky project, which is the Sewage Treatment Facility. Ms. Ruefer advised the statutory process requires that a public hearing be held.

Legal Counsel Griswold noted this item was only noticed for the North Spanish Springs Flood Control Facility. If design-build is not found to be appropriate for the Flood Control Facility, the Board could then consider utilizing the approach for the Sewage Treatment Facility.

**03-1015 SOLE SOURCE DESIGNATION – ACTION ELECTRIC –
FY 2003-04 PREVENTIVE MAINTENANCE FOR ELECTRICAL
SERVICES – WATER RESOURCES FACILITIES**

Katy Singlaub, County Manager, advised that discussion was held on this item at yesterday’s Caucus meeting. She stated Washoe County has taken over several water systems in the public interest that have different electrical systems, piping requirements and distribution systems, and all of that electrical work has been diagrammed over the years by Action Electric. She said another contractor would have to recreate and rebuild in order to meet the electrical maintenance requirements. She noted this recommendation originated from the contracts evaluation report presented by the Internal Audit Division.

Commissioner Sferrazza commented the County paid Action Electric to develop the maintenance requirements information, and, as a condition for the continuation of their contract, he would request that line drawings be furnished.

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the following actions be taken concerning the Department of Water Resources facilities, subject to the condition that the County be furnished with the line drawings:

1. The designation of Action Electric as the sole source provider for FY 2003-04 preventive maintenance, repair and replacement, and emergency electrical services be approved.
2. A preventive maintenance contract with Action Electric in the amount of \$28,050 for FY 2003-04 be approved.
3. Multiple or serial purchase orders to Action Electric that may aggregate to amounts in excess of \$25,000 for repair and replacement or emergency electrical services be approved.

**03-1016 SOLE SOURCE DESIGNATION – PREVENTIVE MAINTENANCE
FOR SCADA AND PUMP SERVICES – WATER RESOURCES**

Katy Singlaub, County Manager, advised the Supervisory control and Data Acquisition (SCADA) System provides the controls for sewer and water treatment facilities, which is a very specific and technical type of work only done in this region by Sierra Control Systems and Carson Pump. It was noted this recommendation originated from the contracts evaluation report presented by the Internal Audit Division.

Commissioner Galloway stated he would like staff to look at the possibility of the County contracting for this service for more than one year.

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the sole source designation of Sierra Control Systems and Carson Pump for preventive maintenance, repair and replacement, and emergency SCADA and pump services for the Department of Water Resources facilities be approved.

**DIRECTION - POSSIBLE SALE OF MT. ROSE/SLIDE
MOUNTAIN – PARKS/PUBLIC WORKS**

Karen Mullen, Parks Director, provided information in response to direction given by the Board in August concerning the Mt. Rose Development Company's request for possible disposal of the County's Slide Mountain property. She advised that Redfield and Buschard purchased the property in February 1944 for \$101 from the Washoe County Treasurer's Office, and the County condemned the property in 1952. She stated staff met with the appraiser to explore methods and issues relative to the potential disposition and value of the property. The appraiser estimates the current lease depresses the value of the total 113.96 acreage to a range of approximately \$80,000 to \$100,000, which is the revenue the County would receive if Redfield accepts the reconveyance. It was also determined that subdividing or changing the zoning would not substantially change the value as long as the lease encumbrance remains. Ms. Mullen then advised there is no way to provide for easements to assure the ski trails would remain with Option A, the proposed smaller parcel. She advised that Mt. Rose Development has confirmed they are willing to pay for the appraisal for three scenarios with and without the lease encumbrance, which would be the full 113.96 acres, Option A and Option B, which contains the additional property requested by the Mt. Rose Development Company.

Leslie Admirand, Deputy District Attorney, responded to additional questions asked by the Board in August. She advised the statute allows the Board to dispose of any portion of the property. The current zoning is Parks and Recreation and allows for a ski resort or other recreational uses. The current zoning has been in place since 1972 and prior to that it was "open zoning," which she interprets as no zoning. The appraiser has indicated any future zoning change or use would be speculative and would not affect his value in appraising the property. She stated, relative to the question of how to determine the highest and best use of the property and whether the Board can consider future zoning or use changes, the Nevada Supreme Court recently said those things could be considered but only if they represent a reasonably probable change.

Commissioner Galloway advised he met with former County Commissioner Ted Short and Mt. Rose Ski Area General Manager Paul Senft, who indicated they might be amenable to taking the lease off of some portions of Option B, which is the additional area requested by Mt. Rose. Ms. Admirand stated the matter would have to be explored to determine if that would be something the County could do. Commissioner Sferrazza commented, if the Redfields accept the reconveyance, they could easily apply for a rezoning and build the condominiums that were in their original plan. Ms. Admirand stated no zoning changes are currently in place, and there is nothing to indicate a reasonable probability that would happen. Upon inquiry of Commissioner Sferrazza, Ms. Mullen advised the County receives approximately \$3,000 for the lease and \$5,000 in tax revenue annually on the property. Upon inquiry of Chairman Humke, Ms. Admirand advised the County would not be able to place deed restrictions on the property, but could raise the possibility of renegotiating use restrictions for the

subsequent purchaser. She said, if the property is offered for reconveyance, she does not believe the County has the authority to dictate what would be done with the property.

Mr. Senft stated they support the appraisal scenarios requested by staff, with the exception of paying for an appraisal based on Tourist Commercial zoning. He stated they have been through a lengthy process with the County in developing a master plan and have met with several environmental groups. In their detailed review of the environmental issues and development plans, they have been adamant they have no intention of building condominiums, a hotel, or a casino. They have a problem with paying for an appraisal based on a Tourist Commercial land use designation, as it is contrary to all the discussions they had with these groups. He stated they would support the appraisal scenarios presented by staff based on the current land use designation. He then stated Mt. Rose Development would sign an agreement or restrictive deed that would preclude them from any development of that nature. He noted their customer base is not interested in seeing condominiums built on that side of the mountain.

Commissioner Galloway stated Legal Counsel has indicated the County does not have the authority to sign an agreement with Mt. Rose or put a deed restriction on the property because the property has to run through the Redfields. He said he does not necessarily take the position that some tourist units would hurt the property, but, if tourist units are possible, the public should receive that value for the land. He would not want to sell the land on the assumption that would never happen, and asked how the Redfield problem of conceivably being able to develop the property would be handled. Mr. Senft stated they would like to review the appraisal when it is finished and study the available alternatives.

Commissioner Shaw said Mr. Senft's proposal to proceed with the appraisals and provide the opportunity for them to review the appraisals is reasonable.

Commissioner Sferrazza stated he sees no economic benefit for the County to sell the property and said the lease could be amended to address what Mt. Rose wants and to renegotiate the revenue to the County. Mr. Senft stated the economic benefit to the County would come from the increased property taxes generated from the improvements to the facility. Commissioner Sferrazza asked why Mt. Rose wants the County to sell the property at what he considers a substantial loss instead of amending the lease. Mr. Senft stated they have the option of not building the facility and could live with the existing facility for the next 25 years. Commissioner Galloway took exception to Mr. Senft's statement, noting that Mt. Rose Development has made a public commitment to build the facility, and an environmental document was prepared that called for a lodge. Mr. Senft said they are committed to build the new facility and believe it is in the best interest of Mt. Rose and the County to sell the property.

Ted Short, former County Commissioner, provided historical information about the Mt. Rose Ski Area, advising that he managed the property at one time. He said he believes this is the right thing for the County to do for the enjoyment of the community and to have continuity of the ski area. He urged that the Board obtain the

appraisals and noted that Mt. Rose has no intention of doing anything to the property except to provide a good ski area.

Robert Cameron, County resident, suggested the Board is not seeing the big picture and is holding onto property that no one would want to buy except for a ski area. He said local hotels and casinos are suffering because of Indian gaming in California, and they want every possible advantage, one being a good ski area. He stated the road going to the East Bowl from S.R. 431 is a secondary road, and he does not believe the Building and Safety Department would ever issue a building permit for that area.

Gary Schmidt, Mt. Rose Highway property owner, stated he believes the Board should proceed with the appraisals. He said he favors making every effort to cooperate with the Mt. Rose Development Company for improvements to the facility, as it would provide a substantial benefit to the entire community. He stated he believes, under the County's current Development Code, the owners of the Mt. Rose Ski Area are the only parties that could ever build housing on the property, and they could do that now under the current zoning of Parks and Recreation.

Michelle Poché, Assistant County Manager, clarified that an appraisal of the property with a Tourist Commercial zoning was not part of today's recommendation by staff.

Commissioner Weber moved that staff be directed to proceed with the three different versions of the appraisal, with and without the lease, as suggested by staff and consented to by Mr. Senft. Commissioner Shaw seconded the motion.

Commissioner Sferrazza reiterated he sees no economic reason to go forward even with the appraisal. Commissioner Galloway stated he does not believe there is any need to transfer the land to the Mt. Rose Ski Area in order for them to do what they want with the property. He does not believe disposing of the property would be financially beneficial to Washoe County when more money can be borrowed on the income stream than would be received from selling the property. He stated transferring the property involves risk and provides no financial gain for Washoe County.

Chairman Humke stated this property is in his District. He disclosed he had ex parte contact with Mr. Cameron, Mr. Senft, Mr. Moore, Mr. Short and others. He believes, when a business person operating a viable concern that provides needed recreation in the County comes forward with a reasonable proposal, it should be entertained.

On call for the question, Commissioners Galloway and Sferrazza voted "no." The motion duly carried with a 3 – 2 vote and Chairman Humke ordered that the appraisal be conducted of the Slide Mountain property for the three scenarios with and without the lease encumbrance, being the full 113.96 acres, Option A and Option B, which the Mt. Rose Development Company has agreed to fund.

5:40 p.m. The Board recessed.

6:00 p.m. The Board reconvened with Vice Chairman Shaw and Commissioners Galloway and Weber present. Chairman Humke and Commissioner Sferrazza did not return to the meeting. Vice Chairman Shaw presided.

03-1018 ORDINANCE NO. 1213 - BILL NO. 1392 - AMENDING CHAPTER 110 - DEVELOPMENT CODE - ON-PREMISE SIGNS

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on August 29, 2003 to consider second reading and adoption of Bill No. 1392. Proof was made that due and legal Notice had been given.

Vice Chairman Shaw opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Chairman Humke and Commissioner Sferrazza absent, Vice Chairman Shaw ordered that Ordinance No. 1213, Bill No. 1392, entitled, "**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 504, ON-PREMISE SIGNS, BY ADDING A DEFINITION OF LOGO AND SUPPORTER, PERMITTING THE DISPLAY OF LOGOS ON A SIGN FOR A NON-PROFIT OR EDUCATIONAL INSTITUTION, PERMITTING THE DISPLAY OF ADVERTISING ON THE INSIDE OF A PERIMETER FENCE OF AN ATHLETIC FIELD AND ASSOCIATED SCOREBOARDS USED BY TEAMS SUPPORTED BY NON-PROFIT ORGANIZATIONS OR EDUCATIONAL INSTITUTIONS, AND OTHER MATTERS RELATING THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

03-1019 ORDINANCE NO. 1214 - BILL NO. 1394 - AMENDING CHAPTER 50 - OFF-ROAD VEHICLE AREAS

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on August 29, 2003 to consider second reading and adoption of Bill No. 1394. Proof was made that due and legal Notice had been given.

Maureen Griswold, Deputy District Attorney, noted a revised copy of the Ordinance, correcting minor clerical errors, was distributed at Caucus. She noted there were a couple of other minor changes made to clarify the intent of the Ordinance.

Adrian Freund, Director, Department of Community Development, stated this Ordinance refers to requirements to be added to Chapter 110, the Washoe County Development Code. He said they do not currently have a classification in the Code that fits these motorcycle or off-road vehicle courses and staff intends to create such a section

in order to regulate these activities. He further said amending the Code would entail hearings before the Citizen Advisory Boards, the Washoe County Planning Commission, and the County Commissioners. By making these changes in the Development Code, a Table of Uses would be created that would describe in which land use classifications such courses would be allowed and whether they would require a special use permit. Mr. Freund further stated staff would also develop specific conditions that would apply to off-road courses to mitigate the impacts of such activities on neighboring properties. He also advised that any courses that currently exist would have to come into compliance with the new regulations unless they can show that they were legally established. Commissioner Galloway clarified that the only way to have been legally established would be if they were in compliance with the Development Code.

The Vice Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

David Gaskill, Red Rock Road resident, stated he is sandwiched between two race courses; the owners have brought in tractors and built mounds; and there has been racing by riders who are not residents of the property. He stated the tracks were built without grading permits, and the owners do not have permits to operate as a racing track. Mr. Gaskill urged the Board to go beyond the requirements of this Ordinance to protect the peace and quiet, enjoyment of property, and quality of life of residents affected by these activities. He also suggested an environmental impact report should be required because building these tracks strips the vegetation from the land, which will result in erosion problems; and there has been no reclamation.

Gary Soverns, Red Rock Estates Property Owners' Association, asked that the letter from their President, Gene Savoy, Jr., be read into the record. Commissioner Galloway read Mr. Savoy's letter. Mr. Soverns urged the Board to direct staff to develop very specific requirements for these tracks, stating the noise really travels in areas where the homes are far apart, so the type of noise buffering that will be needed will have to be thoroughly examined.

Gary Schmidt, Washoe County resident, brought up a concern about bicycle courses and the possibility of one of them being used by a motorcycle rider without permission. He stated there was no provision in the Ordinance for citing the rider and asked if the property owner/course operator would be cited.

There being no one else wishing to speak, the hearing was closed.

Commissioner Galloway stated defining off-road courses was the first step in a process, and the next ordinance will address where such courses will be allowed and the conditions and restrictions under which they can operate.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Chairman Humke and Commissioner Sferrazza absent, Vice Chairman Shaw ordered that Ordinance No. 1214, Bill No. 1394, entitled,

"AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AMENDING CERTAIN PROVISIONS RELATING TO THE OPERATION OF OFF-ROAD VEHICLES IN OFF-ROAD VEHICLE AREAS; DEFINING OFF-ROAD VEHICLE COURSE; AND OTHER MATTERS RELATING THERETO," be approved, adopted and published as **amended** in accordance with NRS 244.100.

Commissioner Weber reported she just received an e-mail from Dennis and Vicky Charley asking if this would affect their use of quads on their ranch. Mr. Freund stated it would not. Commissioner Weber asked when the next ordinance would be brought back. Mr. Freund advised the Code amendment process would probably start in early November. Commissioner Galloway clarified that if anyone applies to construct such a course in the meantime they would have to obtain a special use permit. Vice Chairman Shaw requested staff check on the courses Mr. Gaskill discussed.

03-1020 ORDINANCE NO. 1215 - BILL NO. 1395 - DEVELOPMENT AGREEMENT - TOM C. AND LANNETTE PRATT

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on August 29, 2003 to consider second reading and adoption of Bill No. 1395. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Chairman Humke and Commissioner Sferrazza absent, Vice Chairman Shaw ordered that Ordinance No. 1215, Bill No. 1395, entitled, **"AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING A DEVELOPMENT AGREEMENT FOR TOM C. PRATT AND LANNETTE PRATT. THE AGREEMENT FACILITATES THE DEVELOPMENT OF A ±47.11 ACRE PARCEL INTO TWO PARCELS OF 42.11 AND 5.0 ACRES IN SIZE. THE PROPERTY IS DESIGNATED SPECIFIC PLAN WITHIN THE WARM SPRINGS AREA PLAN AND HAS POTENTIAL ZONING OF HIGH DENSITY RURAL IN THE WARM SPRINGS SPECIFIC PLAN WITH THE APPROVAL OF THIS DEVELOPMENT AGREEMENT. THE PROPERTY IS LOCATED WITHIN A PORTION OF THE NW 1/4 OF SECTION 4, T22N, R21E, WASHOE COUNTY, NEVADA (APN: 077-340-75),"** be approved, adopted and published in accordance with NRS 244.100.

03-1021 PUBLIC HEARING - SPECIAL ASSESSMENT DISTRICT NO. 35 - RHODES ROAD

5:30 p.m. This was the time set in a Notice of Public Hearing, published in the *Reno Gazette-Journal* on August 22 and 29 and September 5, 2003 and posted in accordance with Nevada Revised Statutes, for the Board to consider hardship applications and gather

testimony in support of or opposition to the formation of Special Assessment District No. 35, Rhodes Road. Proof was made that due and legal Notice had been given.

Dave Price, County Engineer, advised that no hardship applications or written protests were received in regard to establishing the District. He stated the purpose of the project is to pave the unpaved portion of Rhodes Road.

Vice Chairman Shaw opened the public hearing by calling on anyone wishing to speak concerning this matter.

The following affected property owners spoke in support of formation of the District: Max Mull, Rick Taras, Larry Weiss, John Rhodes and Duane Steidley. These speakers also expressed a concern about the amount of the assessment and suggested that the commercial establishments should be assessed more than residential because they are the reason for more traffic using the road. Mr. Mull said the proposal includes \$6,000 to remove fences from the right-of-way and he would be willing to remove his own fence to cut down the cost. Mr. Weiss questioned the \$16,000 included for traffic control, stated the cost keeps going up, and asked that staff be directed to fine tune the costs. Mr. Steidley asked that speed bumps be considered.

Gary Schmidt, Washoe County resident, spoke in support of creating the District.

Holly Clavell-Head stated she owns the stables, and she agreed that the commercial industries should be assessed more than the residential properties because they do generate more traffic. She also asked how the assessment would be paid.

Gary Sovers, Antelope Valley resident, suggested a traffic study could be conducted to determine actual utilization so the assessments could be apportioned by actual usage.

It was noted that there was a letter submitted by James Ross, 1185 Paddock Lane, who also stated that the commercial establishments should be assessed more because they would benefit more from the paving project than private homes.

There being no one else wishing to speak, the Vice Chairman closed the public hearing.

Katy Singlaub, County Manager, advised this is the beginning of the process; staff will now prepare a detailed cost analysis; the suggestions concerning refining the costs have been heard; and there will be future public meetings after the final costs and assessments have been calculated.

Mr. Price explained that the assessments are not based on the land usage, but rather on the land value and the increase in value that would result from the improvements. He also said the cost would be lower if the property owners removed the

fences themselves, and staff would be happy to discuss that with the residents. As to the equestrian trail, Mr. Price said staff was asked to include the trail in the design; there is plenty of room for a trail in the right-of-way; staff saw it as an opportunity to extend the base of decomposed granite out further and compact it; and the cost for that portion is approximately \$4,000 to \$5,000. He said that cost could be reduced by just grading a flat trail and not putting the decomposed granite down. Mr. Price then reviewed the County policy concerning speed bumps and the requirement for counting cars and measuring speeds before installing speed bumps. Ms. Singlaub explained the policy is necessary because of the County's liability insurance.

**03-1022 RESOLUTION - SPECIAL ASSESSMENT DISTRICT NO. 35 -
RHODES ROAD - DISPOSING OF PROTESTS**

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Chairman Humke and Commissioner Sferrazza absent, it was ordered that the following resolution be adopted and the Chairman be authorized to execute the same:

RESOLUTION NO. 03-1022

**A RESOLUTION DISPOSING OF THE PROTESTS
MADE AT THE HEARING ON THE PROVISIONAL
ORDER FOR WASHOE COUNTY, NEVADA,
SPECIAL ASSESSMENT DISTRICT NO. 35
(RHODES ROAD); DIRECTING THAT THE
ENGINEER PREPARE AND FILE A REVISED AND
DETAILED ESTIMATE OF COST, FULL AND
DETAILED FINAL PLANS AND SPECIFICATIONS,
AND A REVISED MAP AND ASSESSMENT PLAT;
AND PROVIDING THE EFFECTIVE DATE
HEREOF.**

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") and State of Nevada, pursuant to a resolution adopted March 25, 2003 (the "provisional order resolution"), provisionally ordered the acquisition of a street project (the "Project") within the Washoe County, Nevada, Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads) (herein the "District"); and

WHEREAS, pursuant to said resolution, the County Clerk gave notice of the time and place of hearing thereon, in the manner specified by law; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection on or prior to 3 days before September 9, 2003 to appear before the Board on Tuesday, September 9, 2003 and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof and manner of payment therefor, as to the amount thereof to be assessed against said property and to evaluate any hardship applications submitted in accordance with the hardship procedure established by the Board pursuant to an ordinance; and

WHEREAS, the written and oral objections or protests received were duly considered, and the Board has determined that it is in the best interests of said District, the County, and inhabitants thereof to create the District as theretofore proposed; and

WHEREAS, the Board has determined (based upon the tabulation of the percentage of owners protesting prepared by the County Engineer, and filed with the County Clerk) that the owners of lots which will pay one-half or more of the assessments (as shown in the Preliminary Assessment Roll) have not filed written protests or objections and the protests or objections received were received from owners of lots in the District who, in the aggregate, will pay less than one-half of the assessments (as shown in the Preliminary Assessment Roll); and

WHEREAS, the Board has now considered each and every written protest and objection and all oral protests and objections made at the hearing on September 9, 2003, and the Board finds that each and every written and oral protest or objection is without sufficient merit and is overruled and denied (except as otherwise specifically provided in Section 2.)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. The Board determines that each and every protest and objection filed or otherwise made (representing lots that will be responsible for less than one-half of the assessments to be paid) is without sufficient merit, and that the same is overruled and finally passed on by said Board except the District is modified as described in Section 2.

Section 2. The Board has determined, and does hereby determine, that, except as hereinafter stated, it is advisable to acquire the Project as provided by the provisional order resolution and does hereby order that assessments be levied therefor; except that:

[unless changes are listed here, no changes are made and all protests or objections are overruled and denied]

Section 3. Pursuant to NRS 271.360 and an ordinance adopted on October 23, 2001 establishing a hardship determination procedure, the Board has considered all applications for hardship determinations and the recommendations of the Washoe County Department of Social Services and hereby finds and determines that no qualifying applications for hardships were filed, except as listed below:

[unless changes are listed here, all filed hardship applications have been considered and no hardship applications are granted]

Section 4. Any person who filed, and did not withdraw a written protest or objection as aforesaid, shall have the right, within 30 days from the effective date of this resolution, to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amounts of benefits, shall be perpetually barred.

Section 5. The County Engineer is requested and directed to prepare in the manner required by law and present to the Board:

- A. A revised (to the extent necessary) and detailed estimate of the total cost of the District, including each of the incidental costs;
- B. Full and detailed final plans and specifications; and
- C. A revised (to the extent necessary) map and revised assessment plat.

Section 6. The officers of the County are directed to effectuate the provisions of this resolution.

Section 7. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 8. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 9. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

03-1023 2002 REGIONAL PLAN SETTLEMENTS

Adrian Freund, Director, Department of Community Development, advised staff is currently preparing for the appeal hearing before the Regional Planning Governing Board on the case concerning the criteria and standards for cooperative planning. Staff does have concerns about the procedure for the hearing, and the concerns have been expressed to the Regional Planning Agency. Mr. Freund further reported staff will be seeking clarification on jurisdictional issues from Judge Hardesty concerning whether the Cities can appeal the direction the County Commissioners give to their staff.

There will be a scheduled status hearing before Judge Hardesty in November and staff anticipates the Judge will also consider the jurisdictional matters at that time.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 7:03 p.m.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Barbara Trow and Sharon Gotchy
Deputy County Clerks*